June 3, 2004

Michael J. Tostengard   Marc J. Bessette
Assistant Attorney General   36072 Grove Street
445 Minnesota Street   Palisade, MN 56469
Suite 900
St. Paul, MN 55101-2127

        Re: In the Matter of Marc Bessette, d/b/a Bessette General Contractor
               OAH Docket No. 11-1005-15575-2

Dear Mr. Tostengard and Mr. Bessette:

        This letter constitutes the First Prehearing Order concerning matters discussed in the prehearing conference today at the Office of Administrative Hearings. Mr. Tostengard appeared for the Department of Commerce; Mr. Bessette appeared on his own behalf, without counsel. Mr. Bessette's secretary, Marcy Hayes, appeared with him. As I explained to you, although Judge Neilson was not available for the prehearing conference, she will handle all further proceedings in this matter.

        During the conference Mr. Bessette stated he wished to obtain some discovery from the Department, and Mr. Tostengard requested that Mr. Bessette make a written request for the Department's file. Mr. Bessette should make the written request as soon as possible. In addition, the following schedule was set:

January 15, 2003:   Date by which parties will exchange exhibits and witness
                           lists. Witness lists shall contain a summary of the
                           anticipated testimony for each witness.

January 22, 2004:   Hearing, 9:30 a.m., Office of Administrative Hearings.

        Finally, I have enclosed for Mr. Bessette a copy of some materials from the OAH website (www.oah.state.mn.us) for persons who are appearing without counsel (the *Pro Se Guide* and the *Witness Guide*). Other materials are available on our website as well, including a Guide to Participating in Contested Case Proceedings and the rules of the OAH. I encourage Mr. Bessette to review these materials before the hearing.

If the parties are successful in resolving the dispute before the hearing, please notify Judge Neilson immediately.

Sincerely,

/s/ Kathleen D. Sheehy

KATHLEEN D. SHEEHY
Administrative Law Judge
612/341-7602

cc: Administrative Law Judge Barbara J. Neilson

Encl. (to Mr. Bessette)